

REGULAR MEETING

Mayor and Council

Borough of Harrington Park, New Jersey

November 20, 2017

(PAH) Call Meeting to Order

Time: 7:03pm

Mayor's Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been emailed to the BERGEN RECORD, SUBURBANITE and THE NORTHERN VALLEY PRESS. A copy has been filed with the Borough Clerk, and copies have been mailed to individuals requesting the same.

(ALB) Roll Call:

	PRESENT	ABSENT
NAPOLITANO(AN)	x	
EVANELLA (GE)	x	
WALKER (DW)	x	
FITZGERALD (LF)	x	
PEDERSEN (JP)	7:05pm	
CHUNG (JC)	x	

Also present:

Ms. Ann H. Bistriz, Borough Clerk (ALB)

Mr. John R. Dineen, Borough Attorney (JRD)

Mr. Kunjesh Trivedi, CFO/ CTC (KJT)

(PAH) Flag Salute

(PAH) Suspension of the Regular Order of Business

Motion GE

Second JP

AIF

(PAH) Meeting Open to Public

Motion GE

Second JP

AIF

Neile Weissman, Manhattan, New York

Present to discuss the widening of the pedestrian walkway on the George Washington Bridge to comply with the national safety standards. He provided a draft resolution for the Borough to consider. If this pathway is expanded not only will it allow pedestrians, but cyclists as well. Mr. Weissman continued to inform Council that there is a large amount of commuters who bike daily into New York City, keeping vehicles off the road. 42 municipalities in New Jersey have already supported this effort. Several in the

Northern Valley area are already on board. 2 pictures were submitted with conceptual plans that would replace the current 7' pathway and construct a lower separate area that would be guarded from cars and much safer for the users of the path.

PAH thanked Mr. Weissman for his presentation and informed him that Council will discuss and consider during the December meetings.

(PAH) Meeting Closed to Public

Motion GE

Second AN

Vote AIF

(PAH) Return to the Regular Order of Business

Motion GE

Second JP

AIF

(PAH) Approval of Minutes

October 10, 2017-JP Abstain

Motion GE

Second AN

Vote AIF, Abstain JP

October 16, 2017-JP, LF Abstain

Motion AN

Second JP

Vote AIF, Abstain LF

(PAH) Approval of Correspondence-Addendum AA

Motion AN

Second JP

Vote AIF

(PAH) Consent Agenda-Resolutions-

All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.

Consent Approval Items (A-C)

Tax Settlement 28 Pondside Park-Block 111 Lot 19 –A 2017-133

Refunds due to overpayment of Property Taxes-B 2017-134

Payment of Claims-C 2017-135

Motion JC

Second JP

Roll Call AIF

Individual Committee Reports

(AN) Planning Bd., Bd. of Adjustment, Construction, Fire, Ambulance

Building Department took in \$11,651 in permit fees

Fire Department-22 calls, 2 drills, 1 officers meeting, 1 company meeting and 1 mutual aid meeting.

HPFD was awarded 1st Place in Marching at the Annual Chiefs Parade in Northvale in October.

Ambulance Corps-9 calls, 2 mutual aid calls

(GE) Police, Municipal Court, Personnel

431 calls, 163 traffic enforcements, 46 summonses (YTD 758/Officer Getto 240)

3 arrests, 6 accidents (no injuries), 1 DUI, 4 criminal matters (2 cyber, 2 truck & jewelry)

Officer Keily completed I-A Training at the Police Academy

4 Officers were trained for active shooting for domestics, emotional distress

3475 miles drives/YTD 44,504miles

OT \$4000/ YTD \$27,000

OE YTD \$38,000

(DW) DPW, Building & Grounds, Sanitation/Recycling

In addition to the regular duties performed by the DPW:

5 bags garbage removed from Parkside Road, bathroom sink on Hackensack Avenue and picnic table on Bogerts Mill Road.

Trucks were all switched over to leaf collection equipment

STOP sign installed on the corner of Brook and Ehret

Barricades were provided for the Major PSEG gas leak on October 26

Cleaned the Borough Hall parking lot and prepared the area for the Ragamuffin Parade on October 28

Attended final walk through for punch list on SUEZ water main repair on 1st Street

Recycled to market 8740 cardboard, 4960 newspaper, 10,740 green glass, 11,120 clear glass, 16,600 cast iron and 8160 white metal.

Recycling Center collected 24.28 tons and curbside collection 42.65 tons

PAH added that upon discussion with Tom Connolly from the County DPW, the County is considering increasing the amount of compensation to the Borough for snow plowing County roads.

(LF) Board of Health, Environmental Commission

Clean up at Pondsides Park did not have a great turnout of local participants. Fortunately, the SOPE Club from the high school had several students participate.

DW inquired on how the dates are chosen for the clean-ups. She suggested that there should be more inquiry into ongoing local events so a better date could be chosen so more people could attend.

(JP) Finance, Admin. & Exec., Grants

Finance Committee met to discuss the Bond Ordinance and request was made for a Special Meeting to be scheduled for Dec. 4th to introduce the Ordinance so it can be adopted before the end of the year.

FEMA grant received for Fire Department-\$212572 for equipment

Tax Assessor is retiring as of February 1. Advertisement will need to be placed in newspaper and on website.

CFO negotiated with Bank of New Jersey to continue to reimburse the Borough \$10,000 in fees for the Borough's payroll account.

\$55,000 of Community Development Grants was received for accessible sidewalks for the Municipal Center.

(JC) Recreation Commission, Liaison to Board of Education, Public Information

DPW has shut off the water at Highland Field and prepared our playing fields for the winter. Basketball lights and additional lighting will be turned off until Spring. Brain Fitzgerald is resigning from the Recreation Commission. He is thanked for his commitment and hard work to our community.

The BOE is working with Neglia Engineering to make adjustments to the Safe Streets to School Grant.

(ALB) Borough Clerk/Administrator

Street Light Request to Install on Existing Pole

Letter is required from Mayor to re-install a street lamp that was lost during a storm and not replaced at the time by Orange and Rockland Electric

Motion to approve made by AN

Second GE

AIF

Northern Valley Rotary Club link on Website.

Local Rotary Club supports our school with a variety of programs including the distribution of dictionaries to our students. They have asked if they can have a link on our website.

ALB can place the link under Civil Organizations

Motion to approve DW

Second JC

AIF

(JRD) Fair Share Agreement

JRD explained that the Borough has been working on this resolution since July 2015. Finally, the courts have accepted the programs in place in Harrington Park that involve the Allegro Project, as well as United Way.

The following resolution needs to be approved by Council, signed and returned back the JRD's office so it can be filed in the County Court.

PAH thanked JRD and the team of professionals for all their effort and knowledge to bring this all to fruition.

RESOLUTION

2017-136
BOROUGH OF HARRINGTON PARK
BERGEN COUNTY

WHEREAS, the Mayor and Council had previously authorized the filing of a lawsuit in the County of Bergen to seek relief pursuant to the “Mount Laurel” doctrine;

WHEREAS, an action was instituted on July 8, 2015 in the Superior Court of New Jersey bearing Docket number BER-11-6299-15 and entitled *In the Matter of the Application of the Borough of Harrington Park, County of Bergen* seeking to establish the Borough of Harrington Park’s fair share housing obligation and granting immunity to the Borough of Harrington Park;

WHEREAS, the within matter was managed by the Hon. Menelaos W. Toskos and further managed by the Special Master, Frank Banish, PP;

WHEREAS, Fair Share Housing Center intervened and took a position with respect to the Borough’s fair share obligation;

WHEREAS, the Borough’s representation was through its planner, Michael G. Hakim ,PP initially and subsequently by Richard M. Preiss ,PP, Gail L. Price, Esq., Jennifer M. Knarich, Esq. and John R Dineen, Esq.;

WHEREAS, the Borough and Fair Share Housing Center have reviewed its differences and determined to end and resolve this lawsuit by and through the attached November 6, 2017 agreement;

WHEREAS, the Mayor and Council have determined that resolution of the lawsuit on the terms and conditions referenced herein are in the best interest of the Borough and presents a realistic opportunity to provide affordable housing within the Borough; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey, as follows:

1. The Borough of Harrington Park hereby ratifies, confirms and accepts the November 6, 2017 agreement attached hereto and directs the Mayor, clerk or such other authorized person to sign and deliver the same; and
2. Counsel, shall at the direction of the Court set a date and duly publish notice of same for the conduct and acceptance of the proposed agreement by the Hon. Menelaos W. Toskos at the designated “Fairness Hearing”

Motion GE

Second JP
Roll Call Vote AIF

Old Business

(AN) Fire Department met with Congressman Gottheimer on October 10th to receive the equipment they purchased through the FEMA grant. The grant, filed by FD Lieutenant Jesse Barragato, replaces current air tanks and breathing apparatus with state of the art equipment. The Fire Department was able to purchase additional apparatus with the grant due to the ability to receive a credit for returning the older equipment which was kept in very good shape.

New Business-None

MAYORS REPORT

- Thanked the efforts of the Fire Department-Not only is the Department much safer when responding to a call, but saved the residents about 3 tax points.
- Cub Scout Pack 616 placed 144 flags around the Borough Hall and Library. The flags, donated by Commander Simpson of American Legion Post #30, were put up in time for Veteran's Day and Election Day to remind everyone of the freedoms we have in this country.
- Congratulations to Councilwoman Chung and Councilman Napolitano for their re-election to Council for the years 2018-2020.
- PAH, along with ALB and KJT attended the NJLM Convention this month. As always, there is a lot of good information available to all those who attend. PAH is a member of the Resolution Committee, hoping to make a difference when it comes to State issues.
- February 18 at St. Andrew's Church, the Borough is working with several volunteers, along with Rev. Diane Rhodes to present Opera and Broadway music, by professional musicians and singers.

Ordinances

Second Reading-Ordinance 718 Addendum D

**AN ORDINANCE AMENDING BOROUGH ORDINANCE §331 to
DESIGNATE A SCHOOL ZONE ESTABLISHING SAFETY FEATURES
AS WELL AS SPEEDS**

Motion GE

Meeting Open to Public for Discussion of Ordinance 718

Motion GE

Second JP

Vote AIF

Meeting Closed to Public-No public present for discussion

Motion GE

Second JP

Vote AIF

Council Discussion-GE was glad to get this Ordinance adopted.

Second JP
Roll Call Vote AIF

Second Reading-Ordinance 719-Addendum E

AN ORDINANCE ADOPTING REVISIONS TO CODE OF THE BOROUGH OF HARRINGTON PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY

Motion AN
Meeting Open to Public for Discussion of Ordinance 719
Motion GE
Second JP
Vote AIF

Meeting Closed to Public-No public present for discussion
Motion GE
Second JP

Council Discussion-none
Second DW
Roll Call Vote AIF

(PAH) Motion GE for Closed Session Time: 7:48pm
Second AN
Vote AIF

RESOLUTION

WHEREAS, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

WHEREAS, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

1. Potential Litigation (JRD)
2. Personnel-Chief Maalouf (GE)
3. Contract Negotiations-Police PBA (GE)

BE IT FURTHER RESOLVED that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.

JP recused himself from Closed Session at 8:12pm

Return to Open Session 8:15pm

Adjournment-Time: 8:16pm
Motion: GE
Second: DW

AIF

Addendum A
RESOLUTION
2017-133

Tax Settlement 28 Pondside Park-Block 111 Lot 19

WHEREAS, Thota and Lakshmi Nagaraja were the owners of property located at 28 Pondside Place, designated as Block 111, Lot 19 on the official tax map the Borough of Harrington Park (the property), and

WHEREAS, Thota and Lakshmi Nagaraja, have made application to the Tax Court of New Jersey to have the assessments of the property listed above adjusted for tax year 2017; and

WHEREAS, the parties have agreed that the provisions of N.J.S.A. 54:51 A-8 (Freeze Act) shall apply for the year 2018; and

WHEREAS, the Mayor and Council are satisfied that after proper review and analysis, the settlement, as set forth below, is reasonable and in the Borough's best interests;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey, that the adjustments of the assessments of the property specified below be and hereby are ratified as follows:

<u>Block</u>	<u>Lot</u>	<u>Street Address</u>
111	19	28 Pondside Place
<u>2017</u>	<u>Original Assessment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 353,200	\$ 353,200
IMPROVEMENTS	<u>\$ 767,600</u>	<u>\$ 556,800</u>
TOTAL	\$ 1,120,800	\$ 910,000

BE IT FURTHER RESOLVED that Netchert, Dineen & Hillmann, Esqs. be and hereby are, authorized to execute the Stipulation of Settlement memorializing the settlement of this matter on behalf of the Borough of Harrington Park; and

BE IT FURTHER RESOLVED that the proper officials be, and hereby are, authorized to make the necessary adjustments to the assessments.

Addendum B
RESOLUTION
2017-134

Refunds due to overpayment of Property Taxes due to double payment by wire transfer from CORELOGIC and a previous payment from the NEW homeowner, CHAO

**AN ORDINANCE AMENDING BOROUGH ORDINANCE §331 to
DESIGNATE A SCHOOL ZONE ESTABLISHING SAFETY FEATURES
AS WELL AS SPEEDS**

WHEREAS, the Mayor and Council of the Borough of Harrington Park have determined that §331 of the Borough code as it relates to the safety of children accessing the Harrington Park school needs to be modified and updated;

Section 331-24: SCHOOL ZONE PEDESTRIAN ACCESS AND VEHICLE TRAFFIC:

- 10

Dean Street-no markings

Carmen Road no crosswalk

Spring Street-ladder crosswalk applied at westerly side of intersection. School crossing signage installed.

Lynn Street-ladder crosswalk to be applied to cross driveway and westerly side of intersection (L -shaped)

public-school entrance driveway-no markings, no signage

public-school exit-ladder crosswalk to be reinstalled (diagonal) school crossing signage.

Elliot Road-no crosswalk, no sign

Downing Place-no crosswalk no signage.

Martha Road Ladder crosswalk

Florence Road-no crosswalk-no signage

George Street-no crosswalk no signage

All other provisions of the ordinance shall be unaffected and remain in full force and effect.

ADDEDNUM E

PROPOSED ORDINANCE. NO. 719

AN ORDINANCE ADOPTING REVISIONS TO CODE OF THE BOROUGH OF HARRINGTON PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY

Be it ordained and enacted by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey, as follows:

ARTICLE III

Adoption of 2017 Code Revisions

§ 1-17. Continuation of existing provisions.

The provisions of the 2011 Code, insofar as they are substantively the same as those of ordinances in force immediately prior to the enactment and revision of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Mayor and Council of the Borough of Harrington Park, and it is the intention of said Mayor and Council that each such provision contained within the Code is hereby reaffirmed as it appears in said Code.

§ 1-18. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 1-19. Publication; filing.

The Clerk of the Borough of Harrington Park, pursuant to law, shall cause this Adoption of Revisions Ordinance to be published, in the manner required, in a newspaper of general circulation in the Borough. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adoption of Revisions Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-20. Changes in previously adopted ordinances.

- A. In compiling and preparing the 2011 Code and subsequent ordinances for publication as the 2017 Code of the Borough of Harrington Park pursuant to N.J.S.A. 40:49-4, no changes in the meaning or intent of such ordinances have been made, except as provided for in Subsections B, C and D hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.
- B. Nomenclature.
 - (1) “Board of Recreation Commissioners” is changed to “Recreation Commission.”
 - (2) “Building Department” is changed to “Construction Department.”
 - (3) “Chair” and “Chairman” are changed to “Chairperson.”
 - (4) “Building Inspector” and “Construction Official” are changed to “Construction Code Official.”
 - (5) “Board of Adjustment” is changed to “Zoning Board of Adjustment.”
 - (6) “State Department of Health and Senior Services” is changed to “Department of Health.”
 - (7) Chapter 85, Article IV, is amended to change instances of “age-restricted unit” to “age-restricted housing.”
 - (8) Chapter 350 is amended to change instances of “Zoning Official” and “Zoning Enforcement Officer” to “Zoning Officer.”
 - (9) Chapter 350, Article XV, is amended to change instances of “Construction Code Official” to “Zoning Officer.”

- C. Chapter 325, Trailers, Mobile Homes, and Campsites, is renumbered as Chapter 127 and renamed as “Commercial Vehicles.”
- C. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance.

Addendum AA Correspondence

October 2017

October 19, 2017

Federal Energy Regulatory Commission-Transcontinental Pipeline comments for Environmental Issues due by November 20, 2017

Riverside Cooperative Minutes October 18, 2017.

NJ Transit Public Hearing November 2017

October 27, 2017

PERMA MEL JIF Proposed Annual Budget

Assemblywoman Munoz correspondence to OPMA OPRA Resolution

October 30, 2017

Hazardous Materials Notification Intersection of Closter Road and Schraalenburgh Road.

Senator Sweeney response to OPRA OPMA Resolution

Public Notice Old Tappan New Cingular Wireless-60 Central Avenue

Public Notice 223 Lynn Street November 8, 2017.

PSEG Third Party service provider notification of change.

October 31, 2017

NJ Transit Public Hearings for November 2017

11/3/2017

BCUA Public Hearing Nov. 28, 2017 to amend the Bergen County District Solid Waste Management Plan.

11/6/2017

Recycling Update November 2017

Community Development awards for FY2017-\$3500 Senior Activities, \$4200 for Van Driver, \$55,200 for Accessible ramps and sidewalks at Borough Hall

11/7/2017

Neglia Engineering Report for November 2017.

11/13/2017

2017 Census Bureau is requesting Financial survey which may take up to 6 hours by CFO

11/17/2017

DPW Monthly Report

Police Monthly Report (Email)

Inside Bergen BCC

11/20/107

BCUA Public Hearing for Nov. 28, 2017 has been cancelled.

